

PROB 12A
(7/93)

UNITED STATES DISTRICT COURT

for

Western District of Texas

Report on Offender Under Supervision

Name of Offender: Tommy T. Fox

Case Number: A-09-CR-546(1)-SS

Name of Sentencing Judicial Officer: Honorable Sam Sparks, United States District Judge

Date of Original Sentence: February 26, 2010

Original Offense: Counts 1-5: Interference with Commerce by Robbery (18 U.S.C. § 1951)) and Count 6: Robbery of a Credit Union (18 U.S.C. § 2113)).

Original Sentence: Counts 1-6: Imprisonment for 137 months followed by a three-year term of supervised release; all counts to run concurrently. Special conditions: drug counseling; alcohol abstinence; mental health treatment participation; take all mental health medication, as prescribed, and financial disclosure. The Court also ordered a \$600 special assessment and restitution of \$3,785.

Type of Supervision: Supervised Release

Date Supervision Commenced: June 20, 2019

Assistant U.S. Attorney: Mark P. Lane

Defense Attorney: William H. Ibbotson

PREVIOUS COURT ACTION

On July 17, 2019, a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender was submitted to the Court requesting special conditions be added to include applying all monies from income tax refunds, lottery winnings and judgements to the court-ordered financial obligation; and establishing monthly restitution payments in the amount of \$100. In addition to the addition of the above noted conditions, the Court was informed that on July 10, 2019, the offender submitted a urine specimen which returned positive for cocaine.

On June 29, 2021, a Report on Offender Supervision was submitted to the Court to advise that on June 11, 2021, the offender submitted a urine specimen which tested positive for cocaine. No action was requested to allow the offender the opportunity to address his relapse in treatment. On July 1, 2021, Your Honor concurred with this recommendation.

NONCOMPLIANCE SUMMARY

Violation Mandatory Condition No. 1: “The defendant shall not commit another federal, state or local crime.”

Nature of Noncompliance: According to an Austin Police Department offense report, on August 28, 2021, officers responded to the offender’s residence regarding a domestic disturbance. When officers arrived at the residence, they made contact with the offender’s brother, Will Fox who reported he had been assaulted by the offender, Tommy Fox. Officers observed a small laceration

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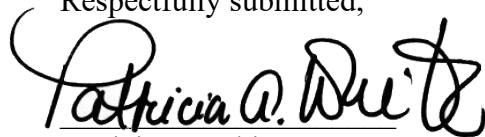
on the left side of the victim's face which was actively bleeding. Based on their observations, the offender was arrested and charged with Assault Causes Bodily Injury – Family Violence, Cause No. C-1-CR-21-207235.

U.S. Probation Officer Action: On September 2, 2021, the offender was released on a cash bond. He contacted this officer to report his arrest, and to provide his version of events. The offender reported he is innocent and plans to contest the charges. The offender's next court date has been set for December 17, 2021, at 8:30 a.m., in the Travis County Court at Law No. 3, Travis County, Texas.

Upon the offender's release from custody, he and his wife secured their own residence and have ceased all contact with the victim. As the offender has taken active measures to avoid contact with the victim, is complying with his conditions of release and reporting requirements, this officer respectfully request no action be taken to allow the offender the opportunity to address this matter in state court.

Accordingly, the Court reserves the right to revisit this allegation in the future. In addition, should the offender incur any further violations, the Court will be immediately notified.

Respectfully submitted,



Patricia A. Whitson
Senior U.S. Probation Officer
Date: October 19, 2021

Martha N. Davis

Approved:

Martha N. Davis
Supervising U.S. Probation Officer
Date: October 19, 2021

THE COURT ORDERS:



No Action



Submit a Request for Modifying the Condition or Term of Supervision



Submit a Request for Warrant or Summons



Other



Honorable Susan Hightower
U.S. Magistrate Judge

October 20, 2021

Date